**RAKEESH DIXIT** 

V.

CIVIL ACTION No.05-10379 -JLT

CORE, INC.

## NOTICE OF SCHEDULING CONFERENCE

An initial scheduling conference will be held in Courtrm 20 on the 7<sup>th</sup> FIr. on Nov.7,2006 at 10:30 AM.in accordance with F.R.Civ.P.16(b) and LR 16.1. The court considers attendance of the senior lawyers ultimately responsible for the case and compliance with sections (B),(C) and (D) of LR 16.1 to be of the utmost importance. Counsel may be given a continuance only if actually engaged on trial. Failure to comply fully with this notice and with sections (B), (C) and (D) of LR 16.1 may result in sanctions under LR 1.3. Counsel for the plaintiff is responsible for ensuring that all parties and/or their attorneys who have not filed an answer or appearance with the court are notified of the scheduling conference date.

COUNSEL SHOULD BE PREPARED TO ARGUE ALL PENDING MOTIONS.

By the Court, /s/ Zal

Date:10/6/2006 /s/ Zal Zita Lovett, Deputy Clerk

These Sections of Local Rule16.1 provide:

- (B) <u>OBLIGATION OF COUNSEL TO CONFER:</u> Counsel for the parties shall confer no later than (21) days before the date of the conference for the purpose of:
  - (1) Preparing an agenda of matters to be discussed at the conference.
- (2) Preparing a proposed pretrial schedule for the case that includes a plan for discovery, and
  - (3) Considering whether they consent to trial by magistrate judge.
- (C) <u>SETTLEMENT PROPOSALS:</u> Plaintiff shall present written settlement proposals to all defendants no later than (10) days before the date of the conference. Defense counsel shall have conferred with their clients on the subject of settlement before the conference and be prepared to respond to the proposals at the conference.
- (D) <u>JOINT STATEMENT:</u> The parties are required to file, **NO LATER THAN 3** BUSINESS **DAYS BEFORE** the conference, a joint statement containing a proposed pretrial schedule, which shall include:
- (1) A joint discovery plan scheduling the time and length for all discovery events that shall:
  - (a) conform to the obligation to limit discovery set forth in F.R.Civ.P.26(b);
- (b) take into account the desirability of conducting phased discovery in which the first phase is limited to developing information needed for a realistic assessment of the case and, if the case does not terminate, the second phase is directed at information needed to prepare for trial:
  - (2) A proposed schedule for the filing of motions; and
- (3) Certifications signed by counsel and an authorized representative of each party affirming that each party and that party's counsel have conferred:
- (a) with a view to establishing a budget for the costs of conducting the full courseand various alternative courses--of the litigation;
- (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in LR 16.4.

To the extent that all parties are able to reach agreement on a proposed pretrial schedule, they shall so indicate. To the extent that the parties differ on what the pretrial schedule should be, they shall set forth separately the items on which they differ and indicate the nature of that difference. The purpose of the parties' proposed pretrial schedule or schedules shall be to advise the judge of the parties' best estimates of the amounts of time they will need to accomplish specified pretrial steps. The parties' proposed agenda for the scheduling conference, and their proposed pretrial schedule or schedules, shall be considered by the judge as advisory only.

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8. (Original) The spin-current switched magnetic memory element according to claim 1, further comprising:

first and second leads; and

- a pillar formed between said first and second leads, said pillar including said at least one barrier layer and at least one magnetic layer of said plurality of magnetic layers.
- (Withdrawn) The spin-current switched magnetic memory element according to claim 8, 9. wherein said at least one magnetic layer included in said pillar comprises said current-switchable magnetic moment.
- (Withdrawn) The spin-current switched magnetic memory element according to claim 9, 10. wherein said magnetic moment of said at least one magnetic layer included in said pillar is switchable by an electrical current having a density of no more than about 10<sup>6</sup> A/cm<sup>2</sup>.
- (Withdrawn) The spin-current switched magnetic memory element according to claim 8, 11. wherein said barrier layer preserves spin information for an electric current injected into said pillar and provides a resistance to said current.
- (Previously presented) The spin-current switched magnetic memory element according to 12. claim 8, wherein at least one of said first and second leads includes a magnetic layer of said plurality of magnetic layers.
- (Withdrawn) The spin-current switched magnetic memory element according to claim 1, 13. wherein said plurality of magnetic layers comprises an upper magnetic layer and a lower magnetic layer, said at least one barrier layer being formed between said upper and lower magnetic layers.
- (Withdrawn) The spin-current switched magnetic memory element according to claim 13, 14. wherein said upper magnetic layer comprises one of a platinum layer formed on a cobalt layer, and a gold layer formed on a cobalt layer.
- (Withdrawn) The spin-current switched magnetic memory element according to claim 13, 15.

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wherein said lower magnetic layer comprises one of a cobalt layer formed on a platinum layer, a cobalt layer formed on a gold layer, and a nickel layer formed on a copper layer.

- 16. (Withdrawn) The spin-current switched magnetic memory element according to claim 1, wherein said perpendicular magnetic anisotropy has a magnitude sufficient to at least substantially offset an easy-plane demagnetization effect, such that a magnetic moment of one of said upper and lower magnetic layers is either resting out of the film plane or can be rotated out of the film plane under spin current excitation.
- 17. (Withdrawn) The spin-current switched magnetic memory element according to claim 1, wherein said at least one barrier layer comprises a plurality of barrier layers which are alternately formed with said plurality of magnetic layers.
- 18. (Withdrawn) The spin-current switched magnetic memory element according to claim 8, wherein said pillar comprises a lithographed pillar having a diameter of less than about 100 nm, and having an oblong-shaped cross-section.
- 19. (Withdrawn) The spin-current switched magnetic memory element according to claim 1, wherein said at least one barrier layer comprises a tunneling barrier layer.
- (Withdrawn) The spin-current switched magnetic memory element according to claim 1, 20. wherein said at least one barrier layer comprises at least one of an aluminum oxide layer, a magnesium oxide layer, a doped semiconductor layer, a non-magnetic metal layer and a SrTiO3 layer.
- (Withdrawn) The spin-current switched magnetic memory element according to claim 13, 21. wherein said lower magnetic layer comprises a first nickel layer formed on a first copper layer, and said upper magnetic layer comprises a second copper layer formed on a second nickel layer.
- (Withdrawn) The spin-current switched magnetic memory element according to claim 21, 22. wherein said second nickel layer has a thickness which is different than a thickness of said first nickel layer, and has a magnetic moment which is perpendicular to a film plane, and wherein one

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of said first and second nickel layers represents an information storage state and has a magnetic moment which is rotatable under an influence of a write current, and the other provides a reference magnetic direction which is not rotatable under said influence of said write current.

- 23. (Withdrawn) The spin-current switched magnetic memory element according to claim 13, wherein said lower magnetic layer comprises a first cobalt layer formed on a first platinum layer, and said upper magnetic layer comprises a second platinum layer formed on a second cobalt layer.
- (Withdrawn) The spin-current switched magnetic memory element according to claim 13, 24. wherein said pillar has an electrical resistance which depends on a magnetization direction of said lower magnetic layer with respect to a magnetization direction of said upper layer.
- (Withdrawn) The spin-current switched magnetic memory element according to claim 13, 25. wherein said pillar comprises a magnetic tunneling junction across said barrier layer between said upper and lower magnetic layers.
- (Withdrawn) A spin-current switched magnetic memory element, comprising: 26. first and second leads;
  - a pillar formed between said first and second leads,
- a plurality of magnetic layers, at least one of said plurality of magnetic layers having a perpendicular magnetic anisotropy component and comprising a current-switchable magnetic moment; and
- at least one barrier layer formed in said pillar adjacent to said plurality of magnetic layers.
- (Withdrawn) A magnetic random access memory (MRAM) array comprising a plurality 27. of magnetic spin-current switched magnetic memory elements according to claim 26.
- 28-29. (Canceled)
- (Withdrawn) The spin-current switched magnetic memory element according to claim 1, 30.

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wherein said perpendicular magnetic anisotropy at least substantially counters an easy-plane demagnetization effect in said plurality of magnetic layers.

- 31. (Withdrawn) The spin-current switched magnetic memory element according to claim 1, wherein said at least one barrier layer comprises at least one of a magnesium oxide layer, a doped semiconductor layer, a non-magnetic metal layer and a SrTiO<sub>3</sub> layer.
- 32. (Withdrawn) The spin-current switched magnetic memory element according to claim 1, wherein said magnetic moment is switchable by using only current and without using heat or a magnetic field.
- 33. (Withdrawn) The spin-current switched magnetic memory element according to claim 1, wherein said perpendicular magnetic anisotropy is induced at one of the interface away from the tunnel barrier and a location where a useful spin-density accumulates, allowing a magnetically switchable layer in said plurality of magnetic layers to be a significant body for spin-angular momentum absorption.
- 34. (Withdrawn Currently amended) The spin-current switched magnetic memory element according to claim 1, wherein said plurality of magnetic <u>layers</u> layer comprises a switching layer which alone comprises at least a perpendicular anisotropy component, and

wherein a rest-direction of the magnetization of the plurality of magnetic layers do not become perpendicular to the film plane.

- 35. (New) The spin-current switched magnetic memory element according to claim 1, wherein said current-switchable magnetic moment comprises a magnetic moment that is switchable by a spin-polarized current.
- 36. (New) The spin-current switched magnetic memory element according to claim 35, wherein said plurality of magnetic layers induces said spin-polarized current when a current is passed through said plurality of magnetic layers.